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EXAMINER
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JARRETT, SCOTT L

ART UNIT	PAPER NUMBER
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3623

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/783,197

Applicant(s)

MCSHERRY, JAMES

Examiner

Scott L. Jarrett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6-19, 22-35 and 38-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-19, 22-35, 38-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This **Final** Office Action is responsive to Applicant's amendment filed on March 23, 2005. Applicant's amendment amended the specification, amended claims 1-3, 6-19, 22-35 and 38-39, canceled claims 4-5, 20-21, and 36-37 and added new claims 40-47. Currently claims 1-3, 6-19, 22-35 and 38-47 are pending.

#### ***Response to Amendment***

2. Applicant's amendment filed on March 23, 2005 with respect to amended claims 1-3, 6-19, 22-35 and 38-39, canceled claims 4-5, 20-21, and 36-37 and new claims 40-47 necessitated new ground(s) of rejection.

#### ***Response to Arguments***

3. Applicant's arguments with respect to amended claims 1-3, 6-19, 22-35 and 38-39, canceled claims 4-5, 20-21, and 36-37 and added claims 40-47 have been considered but are moot in view of the new ground(s) of rejection.

In the Applicant's remarks regarding amended claims 1-3, 6-19, 22-35 and 38-39 and new claims 40-47 applicant states the invention provides businesses (employees, organizational contacts, etc.) with live support/professional assistance on specific issues from a plurality of specialist who tailor their assistance based on information contained in a pre-populated database of user and/or organization information (Remarks: Page 13, Paragraph 4). The Applicant further states that it is the combination, not the

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individual pieces (components, modules, features) of the system that is new and unobvious (Page 16, Paragraph 1).

Specifically Applicants argues that the prior art of record does not teach:

- providing live and specific assistance, by a specialist, to users regarding specific issues wherein the assistance is tailored based on background information stored in the system (database; Page 13, Paragraph 4);
- collecting prior to the dispensing of advice (pre-populating, initially loading) the background information into the system (Paragraph 16, Paragraph 1);
- utilizing the Internet (web site) to collect background information from users (Page 16, Paragraph 2);
- generating a feedback report based on a querying data contained in a database enabling the organization to change (update, modify) policies to avoid the need for live support (help; Page 16, Paragraph 2); and
- incorporating issue information into a web site as a feedback mechanism.

While the examiner agrees that the claimed invention features are not new or obvious the examiner respectfully disagrees that the combination of the features is new or unobvious as argued.

The providing of professional advice (i.e. live and specific assistance to workplace issues) is old and very well known, as is the fact that it is inherent in advice provided by professionals (e.g. doctors, lawyers, technical support, accountants, etc.) is based at least in part on a plurality of information (user background information, laws,

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statutes, medical research, regulations, employment, etc.) collected prior to and during the providing of assistance specific to the user's issue (concern, situation, etc.). In fact, professional advice is sought by users who expressly desire specific assistance (e.g. expertise) to their particular issue therefore assistance not based on user background information would neither be specific, accurate or meaningful.

Examples of methods and/or systems for providing specific professional advice/assistance to users include:

- a doctor collecting a plurality of user information (medical history, current symptoms, and the like) prior to diagnosing and/or treating a user's specific condition (Dworkin et al., U.S. Patent No. 6,026,148: Abstract, Figures 8-9; Itzhaki, Dani, U.S. Patent Publication No. 2002/0010616: Paragraphs 0037-0038);
- the identification of a lawyer (legal services) based on a plurality of user information (Rizzo et al. U.S. Patent No. 6,470,338: Column 1, Lines 45-63); and
- a technical support specialist providing specific technical assistance to a user's specific technical issue wherein the specialist's assistance is based on a plurality of information related to the issue (hardware, software, past service, etc.; Bakoglu et al., U.S. Patent No. 5,983,369: Abstract, Column 7, Lines 31-47, Figure 7; Toader, U.S. Patent No. 5,806,043: Column 4, Lines 28-39).

More specifically Bateman et al. teach an online workplace services system and method for providing live and specific assistance to user's specific issues wherein the support is customized based on background information provided by the customer both prior to and during the live support session ("...the parties will be in full voice

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communication and will be viewing the same multimedia screen which prompted the customers questions. The agent can then assist or guide the caller to the solution or answer sought, or can take orders and/or provide technical support.”, Column 6; 56-60; “Upon selection of the “Live Helps” option...”, Column 6, Lines 62-63; “...provides requested “LIVE HELP” when a problem is encountered...”, Column 2, Lines 27-28; “...the invention provides a customer in a voice conversation with an ACD agent...”, Column 2, Lines 53-55; “...upon answering the call and viewing customer relevant data simultaneously (obtained by looking up the CLID in a customer database), the agent greets to caller and verbally mentions the associated product or subject matter area...”, Column 9, Lines 20-26).

Examiner notes that the applicant did not challenge the Official Notices applied to in the First Office Action dated November 2, 2004 therefore those statements as presented are herein after prior art. This admitted prior art includes at least:

- the utilization of Customer Relationship Management (CRM) systems by companies to better serve their customers by offering personalized (tailored) products/services based on a plurality of customer information (customer preferences, buying habits, demographics, specialist performance, service requests, complaints, product returns, etc.) collected, stored, analyzed and reported on by the system;
- the ability of CRM systems to retrieve and store information relevant to the customer, in response to a customer contact/call;
- the querying a database to generate one or more reports;

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- the collecting (capturing) of a plurality of user information, by call/contact centers, related to each contact made wherein the contact is categorized for each user contact (e.g. call type) and enables the organization to better understand the nature of the contacts being made; and

- the utilization of content management systems to power content rich and/or dynamic web sites wherein these content management systems are commonly architected and implemented using templates (look & feel) and databases (content) in order to provide for the efficient management, presentation and personalization of dynamic web site content.

***Claim Objections***

4. Claims 9, 11-13 and 15-16 are objected to because of the following informalities: each of the claims incorrectly refers steps in Claim 1. Appropriate correction is required.

Regarding Claim 9, claim 9 recites the limitation "...wherein step (a)...(a3)...(a4)..." when the appropriate step is now (b) due to the Claim 1 amendments. Examiner interpreted the claim to read "...wherein step (b)...(b3)...(b4)..." for the purposes of examination.

Regarding Claim 11, claim 11 recites the limitation "...wherein in step (b)..." when the appropriate step is now (d) due to the Claim 1 amendments. Examiner interpreted the claim to read "...wherein in step (d)..." for the purposes of examination.

Regarding Claim 12, claim 12 recites the limitation "...wherein in step (c)..." when the appropriate step is now (e) due to the Claim 1 amendments. Examiner interpreted the claim to read "...wherein in step (e)..." for the purposes of examination.

Regarding Claims 13, claim 13 recites the limitation "(d) performing a query...." when the appropriate step label is (f) due to the Claim 1 amendments. Examiner interpreted the claim to read "(f) performing a query...." for the purposes of examination.



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Regarding Claims 15, claim 15 recites the limitation "(e) using a workplace...." when the appropriate step label is (g). Examiner interpreted the claim to read "(g) using a workplace...." for the purposes of examination.

Regarding Claims 16, claim 16 recites the limitation "(f) publishing workplace...." when the appropriate step label is (h). Examiner interpreted the claim to read "(h) publishing workplace...." for the purposes of examination.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 6-19, 22-35 and 38-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman et al, U.S. Patent 5,884,032 in view of SafeHarbor.com's Customer Support Services/Products as evidenced by SafeHarbor.com web pages (2000).

Regarding Claims 1, 17, 33 and 39 Bateman et al. teach a online method and system for providing specific assistance to users by a plurality of specialists, wherein the specific advice is based on relevant user information collected prior to and during the live support session ("...the parties will be in full voice communication and will be viewing the same multimedia screen which prompted the customers questions. The agent can then assist or guide the caller to the solution or answer sought, or can take orders and/or provide technical support.", Column 6; 56-60; "...provides requested "LIVE HELP" when a problem is encountered...", Column 2, Lines 27-28; "...upon answering the call and viewing customer relevant data simultaneously (obtained by looking up the CLID in a customer database), the agent greets to caller and verbally mentions the associated product or subject matter area...", Column 9, Lines 20-26).

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More generally Bateman et al. teach a method and system for managing workplace services (technical, product or service support/assistance) to a plurality of users comprising:

- obtaining, by the specialists and/or system (workplace resource office) a plurality of information (relevant user data, background information) prior to and during the dispensing of specific assistance ( "...upon answering the call and viewing customer relevant data simultaneously (obtained by looking up the CLID in a customer database), the agent greets to caller and verbally mentions the associated product or subject matter area...", Column 9, Lines 20-26);

- creating a database (data storage) and storing in the database the plurality of user background information collected by the workplace resources office ("customer database"; Figure 1, Element 42; Column 9, Lines 15-24);

- connecting the workplace resource office (specialists) to the system and the database via a network in order to store the plurality of user information collected (Figures 1-2);

- establishing a communication session between a user and one of the plurality of specialist in order that the specialist can provide assistance (technical, product or service support) on a specific workplace issue to that user (Abstract; Live Help, Column 2, Lines 22-31), wherein during each communication session the specialist receives and uses user identifying information (e.g. CLID; Column 9, Lines 1-32) to access and retrieve user background information ("relevant customer data") that was collected/stored prior to and during the communication session and wherein the

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specialist uses the user information to provide specific and live assistance to the user concerning the specific workplace issue (“...the parties will be in full voice communication and will be viewing the same multimedia screen which prompted the customers questions. The agent can then assist or guide the caller to the solution or answer sought, or can take orders and/or provide technical support.”, Column 6; 56-60; “...provides requested “LIVE HELP” when a problem is encountered...”, Column 2, Lines 27-28; Column 6, Lines 1-13, 45-54 and 55-60; Column 9, Lines 21-33) and;

- storing information concerning each communication session (Figure 10; Abstract, Automatic Call Distribution (ACD); Column 1, Lines 16-18, Computer Telephony Integration (CTI)).

Bateman et al. does not expressly teach that the system and method for providing workplace services initiates the collection of user background information upon a request from an organization, that the system is provided only for users who are members of an organization or the specific use of a knowledge management system as claimed.

However, Bateman et al. teach a workplace services system and method that is accessible/applicable to a plurality of users regardless of the users “membership” as discussed above. That the users are or are not members of an organization is irrelevant since the intended field of use does not change the overall functionality of the system. The intended use must result in a manipulative difference as compared to the

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prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963). Accordingly, at the time of the invention, it would have been obvious to a person of ordinary skill in the art that users, regardless of their "membership" in an organization, would have utilized the system of Bateman et al. to obtain live and specific assistance to their specific workplace issues (Abstract).

SafeHarbor.com teaches the development of a customized user workplace services system based on contact with users and organizations as well as the utilization of a knowledge management system (subsystem), in an analogous art of customer support services (customer relationship management), for the purposes of providing self-service and live, specific assistance to users seeking assistance to specific workplace issues (technical, product or service support; Paragraph 5, Page 8).

More specifically SafeHarbor.com teaches a system and method for managing workplace services wherein the system utilizes a knowledge management subsystem (system, module, component) that under the control of a specialist (knowledge engineer, knowledge technician) stores information concerning each communication session between a user and a specialist to the user background information in a database over a network (Paragraph 5, Page 8; KnowledgeTRAK, Pages 21-22; Paragraphs 3-4, Page 33).

More generally SafeHarbor.com teaches an online method and system for managing customer support services (i.e. workplace services/support), comprising:

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- upon the request from an organization (e.g. signed contract/agreement), wishing to provide workplace services, using specialists (a workplace resource office, team, group, organization, knowledge agents, engineers, technicians, support analysts, etc.) to develop, deliver and continually update a customized workplace services solution (online environment, system, etc.) based on contact (information collected, consultation) with users and the organization (Paragraph 3, Page 5; Paragraph 1, Page 11; "KnowledgeChart", Paragraph 6, Page 11; KnowledgeBase, Pages 18-20);

- obtaining, by the specialists and/or system (workplace resource office), a plurality of information (background information) prior to and during the dispensing of specific assistance (KnowledgeBase, Pages 18-20; Pages 32-33);

- creating a database (data storage, "central warehouse") and storing in the database the plurality of user background information collected by the workplace resources office (system and/or specialist; Paragraph 1, Page 7; KnowledgeBase, Pages 18-20);

- connecting the workplace resource office (specialists) to the system and the database via a network in order to store the plurality of user information collected (KnowledgeBase Pages 18-20; Infrastructure, Pages 29-30);

- establishing a communication session between a user and one of the plurality of specialist in order that the specialist can provide assistance (technical, product or service support) on a specific workplace issue to that user and further wherein during each communication session the specialist receives and uses user identifying information to access and retrieve user background information for that was

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collected/stored prior to and during the help session that user, and uses the user information to provide specific and live assistance to the user concerning the specific workplace issue (e-support, ServiceSam, KnowledgeBase, MySupport, WebCase, etc.; Pages 7-9; Pages 10-12) and;

- a knowledge management subsystem (system, module, component) that under the control of a specialist (knowledge engineer, knowledge technician) stores information concerning each communication session between a user and a specialist to the user background information in a database over a network (Paragraph 5, Page 8, Pages 18-20).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for providing workplace services as taught by Bateman et al. would have benefited from developing a customized user workplace services system based on initial and ongoing consultation (contact) with users and organizations in view of the teachings of SafeHarbor.com; the resultant system providing a custom, dynamic and ever improving system for providing workplace services to users (SafeHarbor.com: 18-20 and 32-33).

Further it would have been obvious to one skilled in the art at the time of the invention that the system and method for managing workplace services as taught by Bateman et al. would have benefited from utilizing a knowledge management system to collect, analyze and report on a plurality of user information in view of the teachings of

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SafeHarbor.com; the resultant system providing detailed reports on the workplace services (SafeHarbor.com: KnowledgeTRAK, Pages 21-22).

Regarding Claims 2, 18, 34 Bateman et al. teach that a communication session is a telephone call (Column 2, Lines 23-26; Column 8, Lines 10-16; Figure 1, Elements 8, 14, 32, 40 and 42).

Regarding Claims 3, 19 and 35 Bateman et al. teach that a communication session is an e-mail (Claim 3; Figure 1, Element 81).

Regarding Claims 6, 22 and 38 Bateman et al. teach a method and system for providing and managing workplace services as discussed above wherein the workplace resources office (call center) is connected to the database via a network, and further wherein the network is the Internet (Claim 1; Column 2, Lines 66-6; Column 7 3, Lines 1-5; Figure 1).

Regarding Claims 7, 8, 23 and 24 Bateman et al. teach the use and assignment of a user identification (personal) ID code for each of the plurality of users (Customer Line ID (CLID); Column 9, Lines 1-18).

Regarding Claims 9 and 25 Bateman et al. teach a method and system for managing workplace services wherein a plurality of user background information is



collected (captured) prior to and during the communication session over the Internet (HTML forms, help request form; Claim 1, Column 11, Lines 60-62; Figure 1, Element 54).

Regarding Claims 10 and 26 Bateman et al. teach the assignment and use of a personal ID code by the web site to each of a plurality of users (CLID; Column 6, Lines 31-35 and 48-55; Figure 3).

Regarding Claims 11 and 27 Bateman et al. teach a method and system for providing and managing workplace services as discussed above wherein the specialist is connected to the Internet and further wherein the specialist obtains user identification information from the user verbally, enters the information into the system and the system provides more detailed user information via a web browser (Column 6, Lines 61-67; Figure 3; Figure 4, Element 12).

Regarding Claims 12 and 28 Bateman et al. is silent on the specific methods and mechanisms of collecting call related information.

SafeHarbor.com teaches the categorization of communication (support) sessions, in an analogous art of providing workplace services to a plurality of users, for the purposes of understanding, reporting and tracking user interaction with the system

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(resolution subjects, type of communication (i.e. case source), etc.; SafeHarbor.com: Pages 21-22).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for providing workplace services as taught by Bateman et al. would have benefited from capturing, analyzing and categorizing a plurality of information related to the communication sessions with users in view of the teachings of SafeHarbor.com; the resultant system providing customized reporting and feedback with respect to the system's interaction with users (SafeHarbor.com: Pages 21-22).

Regarding Claims 13-14 and 29-30 Bateman et al. teach the integration and analysis of information collected as part of managing workplace services provided by the workplace resources office (Figure 4, Information & Analysis & Action).

Bateman et al. is silent on the specific mechanisms, methods or systems used to perform queries and running reports on the plurality of information collected.

SafeHarbor.com teaches the tracking and reporting of a plurality of information related to the providing of user support services and that the reports are provided to an organization (KnowledgeTRAK, Paragraph 8, Page 16; Pages 21-22), in an analogous art of providing workplace services (technical, product and/or service support) to a

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plurality of users over the Internet, for the purposes of providing live and specific support to users seeking specific assistance with specific workplace issues.

It would have been obvious to one skilled in the art at the time of the invention that the system and method for providing workplace services as taught by Bateman et al. would have benefited from providing a plurality of reports to the organization utilizing the online workplace services system in view of the teachings of SafeHarbor.com; the resultant system providing customized reporting and valuable feedback/insight regarding the system's interaction with users (customer contacts; SafeHarbor.com: Pages 21-22).

Regarding Claims 15, 16, 31 and 32 Bateman et al. teach the use a web site (Internet) to provide a plurality of information to a plurality of users and further providing a means for accessing the workplace services provided by the workplace resource office (Column 5, Lines 54-65).

Bateman et al. does not expressly teach the generation of a templated web site that is accessible to a plurality of users via the Internet.

SafeHarbor.com teaches the generation of a templated web site for providing information on workplace issues (self-service, frequently asked questions, KnowledgeBase; Page 7; Pages 18-20), in an analogous art of providing user

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workplace services (customer relationship management, technical, service and/or product support), for the purposes of providing specific assistance to users with specific workplace issues (technical, product and/or service support) wherein the system provides a templated web site that is accessible to the plurality of users seeking assistance ("TransparentView...exactly matching your Website's look and feel...", Page 12, Paragraph 3; Paragraph 4, Page 8).

It would have been obvious to one skilled in the art at the time of the invention that the online method and system for providing workplace services to a plurality of users, specifically the systems use of well known Internet technologies, methods and the like, as taught by Bateman et al. would have benefited from providing a customized/personalized (branded, co-branded, templated web site, etc.) online support for users seeking specific assistance to specific workplace issues in view of the teachings of SafeHarbor.com; the resultant system providing personalized/customized services to users seeking assistance (SafeHarbor.com: Paragraph 4, Page 8) and enabling organizations to seamlessly outsource the management of such support (workplace services; SafeHarbor.com: Paragraph 1, Page 32).

Regarding Claims 40-47 Bateman et al. does not expressly teach that the workplace resource office (call center) or specialists are or are not part of an organization as claimed. However, Bateman et al. teach that the system and method for managing workplace services provides live and specific support between a plurality

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of users and a plurality of specialists regardless of their organizational relationship (status, membership, etc.) as discussed above. That the workplace service office and/or the specialists are part of the organization utilizing the services is irrelevant since the intended field of use does not change the overall functionality of the system. The intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963). Accordingly, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to utilize the system of Bateman et al. provide live and specific support to users requesting assistance on specific workplace issues regardless of the physical or virtually location of the workplace resource office.

SafeHarbor.com teaches a method and system for providing outsourced user support services, in an analogous art of providing workplace services to a plurality of users, wherein the workplace service office (call/contact center) and specialists (support analyst, knowledge engineers, knowledge technicians, etc.) are not part of the organization (group, company, etc.) providing and/or utilizing the workplace services provided (i.e. the workplace services office and specialist are outsourced by the organization to a third party provider, support services provider; "SafeHarbor.com is a customer support services outsourcer", Page 5; "We're invisible", Page 19; Infrastructure, Pages 29-30).

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It would have been obvious to one skilled in the art at the time of the invention that the system and method for providing workplace services, with its organizational independence, as taught by Bateman et al. would have been provided as an outsource (i.e. the workplace resource office and/or specialist not being part of the organization) service (product, offering, etc.) to organizations in view of the teachings of SafeHarbor.com; the resultant system enabling organizations (users, businesses, etc.) to increase customer satisfaction while reducing cost and time to market (SafeHarbor.com: Page 5, Paragraph 3).

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Walker et al., U.S. Patent No. 5,862,223, teach an online marketplace for managing expert (specialists, professionals) services (information) wherein the system assists users to identify, qualify, select/hire and work with the specialist that best fits their needs (i.e. can solve their specific workplace issue).

- Dworkin et al., U.S. Patent No. 6,026,148, teach a method and system for providing customized (tailored) and specific professional/expert advice (solutions) to user issues.

- Pinard et al., U.S. Patent No. 6,230,287, teach an online method and system for managing customer support (help desk, workplace services) wherein the expert system includes a knowledge base to diagnose problems based on the information gathered from the user and/or the user's computer (e.g. historical computer problem data) and that the specialist/expert accesses this pre-collected customer information to provide customized support.

- Rizzo et al., U.S. Patent No. 6,470,338, teach a method and system for managing workplace services wherein the system assists users in identifying the professional service provider (expert; e.g. legal services) that is most suitable to resolve the user's specific workplace issue. Rizzo et al. further teaches that the system collects user background information regarding the specific workplace issue via a web page and that this system utilizes this information to dynamically create and present a list of suitable service providers.

- Stephanou, Dimitri, U.S. Patent No. 6,505,166, teaches an online method and system for providing expert advice (specialist support) for users seeking to resolve a specific workplace issue (e.g. technical support, plumbing, legal services, human resources, etc.) wherein the system collects user information (membership profile) prior to establishing a communication link (channel, call, etc.) between the specialist and the user and further wherein the specialist works to resolve the specific user problem/issue detailed in the background information (ticket).

- Lauffer, Randall B., U.S. Patent No. 6,523,010, teaches an online method and system for providing users (consumers, companies, organizations, etc.) seeking to



resolve issues (e.g. workplace issues) access to "diverse advice sources" wherein specialist (professionals, experts, etc.) provide specific/tailored real-time/live advice to users via a plurality of communication channels (Internet, phone, etc.).

- Schultz et al., U.S. Patent No. 2001/0032091, teach an online method and system for managing workplace services (e.g. financial, benefits, legal, insurance, etc.) to a plurality of users who are members of an organization wherein the system collects background information on the plurality of users (personal profile) and provides tailored professional advice based on the user information. Schultz et al. further teach that the system can be "private labeled" (custom look and feel) and personalized for the user and the organization.

- Itzhaki, Dani, U.S. Patent Publication No. 2002/0010616, teach a method and system for providing professional advice to users seeking solutions to workplace issues over a network wherein the system utilizes well-known call center technologies to provide live and specific advice based on pre-collected user background information (profile).

- Sterling et al., U.S. Patent Publication No. 2002/0010724, teach a method and system for providing outsourced/private labeled customer support over the Internet wherein the system "transparently" and specialist provide specific advice to user's workplace issues (product and/or service questions).

- Cooperstone et al., U.S. Patent Publication No. 2002/0022982, teach a method and system for managing workplace services (human resources, legal services, etc.) provided to a plurality of users/members of an organization over a computer network

wherein the system collects background information on users and organizations to determine the appropriate workplace services to provide.

- Endou, Makoto, U.S. Patent Publication No. 2002/0026333, teaches a method and system for providing specific and professional medical advice (assistance) to users based on a plurality of user background information collected prior to the advice and further wherein the background information is periodically updated.

- Cooper et al., U.S. Patent Publication No. 2002/0029350, teach a method and system for managing workplace services wherein users are connected with a plurality specialists (experts) that provide specific assistance in real-time (live) over a computer network.

- Cirinna et al., U.S. Patent Publication No. 2005/0033602, teach a method and system for providing workplace services (information, products and/or services, e.g. "Legal questions and concerns maybe directed to legal authorities via the website.", Paragraph 0045) to employees of an organization.

- Hodgson, Cynthia, Online Expert databases and services, teaches the commercially availability and utilization of external workplace services, specifically expert (professional, specialist, etc.) advice to businesses and their employees specific to workplace issues (challenges, needs, problems, etc..) over the Internet, including but not limited to [www.ei.org](http://www.ei.org), [www.expertpages.com](http://www.expertpages.com), [www.experts.com](http://www.experts.com), [www.expert-market.com](http://www.expert-market.com), [www.allexpert.com](http://www.allexpert.com), [www.askanexpert.com](http://www.askanexpert.com), etc..

- SafeHarbor.com Introduces "ServiceSAM", teaches the commercial availability of a method and system for managing customer service (workplace services) wherein

the system is utilized when an user needs/requests technical assistance or is looking to buy a product or service. The article further teaches that the workplace service (customer support for products/services) is customized/personalized (e.g. user responds to a set of questions about the issue) for each use and directed to the resolution specific issues (customized knowledge base, client branded solution).

- SafeHarbor.com, a Web-Focused Customer Support Outsourcer, teaches a commercially available system and method for outsourced customer support and interaction services (workplace services) over the Internet wherein users (employees, customers, etc.) can access technical support specialist (knowledge engineers) who provide specific and live assistance to the user concerning the specific workplace issue (e.g. an issue with a product or service).

- Lounsbury, Eirk, Gotta serve somebody, teaches the commercial availability of a plurality of systems and methods for managing customer support (customer relationship management, workplace services) over the Internet. Lounsbury specifically teaches the availability of [www.expertcity.com](http://www.expertcity.com) and SafeHarbor.com, wherein SafeHarbor.com creates custom knowledge bases based on an on-site process with the client wherein the customized knowledge base provides the user (SafeHarbor's client's customers) with personalized, virtual and interactive support services.

- DeVito, Nicholas, Just a click away, teaches the wide spread availability of workplace services (technical support) over the Internet wherein the commercially available systems and their associated specialists (experts) provide specific and live

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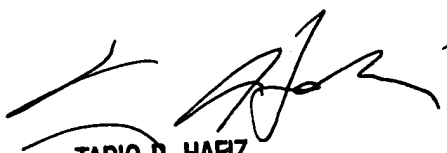
assistance to users with respect to specific workplace issues (e.g. computer hardware/software problem).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (571) 272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SJ  
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